IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 76315-M of 2006

Puran Dass Rattan

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

Crl. Misc. No. 78388-M of 2006

Shashi Bhushan Rattan

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

DATE OF DECISION : 08.02.2007

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. R.K. Samyal, Advocate,
for the petitioners.

Mr. Partap Singh, Senior D.A.G., Haryana.

* * *

This order shall dispose of Crl. Misc. No. 76315-M of 2006 and Crl. Misc. No. 78388-M of 2006, filed by Puran Dass Rattan and his brother Shashi Bhushan Rattan, respectively, under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail in case FIR No. 291 dated 3.10.2006 under Sections 406/420 IPC.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 24.11.2006, passed by Sessions Judge, Ambala, whereby bail application of the petitioners has been dismissed.

Counsel for the petitioners contends that in the aforesaid FIR, it has been alleged that in the year 1996, an agreement of sale was executed by the petitioner in favour of the complainant with regard to sale of two shops and the entire sale consideration was paid. Even possession of the shops was delivered. It is further alleged that thereafter, the complainant persuaded both the vendors to register the sale deed, but the sale deed was not registered. Counsel contends that in view of these allegations, it cannot be said that any fraud was played on the complainant by the petitioners. He submits that the matter is purely of civil nature.

While issuing notice of motion on December 05, 2006 and December 18, 2006, interim anticipatory bail was granted to the petitioners subject to their joining investigation.

Counsel for the petitioners states that in terms of the interim orders dated December 05, 2006 and December 18, 2006, the petitioners have joined the investigation. The State counsel does not dispute this fact and further states that the petitioners are no more required for further investigation.

In view of the above, without commenting on the merits, the interim bail, granted vide orders dated December 05, 2006 and December 18, 2006, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

February 08, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**